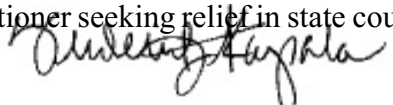


## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Frederick J. Kapala	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 50056	DATE	May 14, 2008
CASE TITLE	U.S. ex rel. Todd Kegel ®-14664) v. Andrew Ott		

## DOCKET ENTRY TEXT:

Petitioner Todd Kegel has filed a petition for federal habeas relief and has paid the \$5.00 filing fee. However, his petition for habeas corpus relief is dismissed without prejudice to petitioner seeking relief in state court. *See* Rule 4, Rules Governing § 2254 Cases. This case is terminated.



■ [For further details see text below.]

Docketing to mail notices.

## STATEMENT

Petitioner, Todd Kegel ®-14664), currently incarcerated at Graham Correctional Center, filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner raises challenges to a state court proceeding which resulted in petitioner being declared an “unfit parent.” Petitioner asserts that the state courts erred in determining that he could proceed without counsel and in their application of 750 ILCS 50/1 to terminate his rights as a parent.

Although Petitioner has paid the filing fee, his petition for federal habeas relief must be dismissed. “[F]ederal habeas [review] has never been available to challenge parental rights or child custody.” *Lehman v. Lycoming County Children's Services Agency*, 458 U.S. 502, 511-12 (1982); *see also Middleton v. Attorneys General of States of N.Y., Pennsylvania*, 396 F.3d 207, 209 (2nd Cir. 2005). Furthermore, federal district courts do not have jurisdiction to conduct direct review of state court decisions. *Lewis v. Anderson*, 308 F.3d 768, 771-72 (7th Cir. 2002) (*citing Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923)). Petitioner may be able to seek review in state court or through a petition for certiorari to the United States Supreme Court; however, there is no basis for federal habeas review of the state courts’ decisions with respect to this matter. Finding no basis for federal jurisdiction, the Court dismisses the petition.

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